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4 UNITED STATES DISTRICT COURT
5 SOUTHERN DISTRICT OF CALIFORNIA
6

7 UNITED STATES OF AMERICA,

) Mag. Case No. **'08 MJ 845 1.**

8 Plaintiff,

) COMPLAINT FOR VIOLATION OF:

9 v.

) Title 8, U.S.C., Section 1326

10 Rita MUÑOZ-Pinon,

) Deported Alien Found In the United States

11
12 Defendant.)

13 The undersigned complainant, being duly sworn, states:

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15 On or about May 20, 2008, within the Southern District of California, defendant Rita
16 MUÑOZ-Pinon, an alien, who previously had been excluded, deported, or removed from the
17 United States to Mexico was found in the United States, without the Attorney General of the United
18 States or his designated successor, the Secretary of the Department of Homeland Security (Title 6,
19 United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's
reapplication for admission into the United States; in violation of Title 8, United States Code,
Section 1326.

20 And the complainant states that this complaint is based on the attached statement of facts,
21 which is incorporated herein by reference.

22 
Senior Patrol Agent

23 SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 21st DAY OF MAY
24 2008.

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26 
PETER C. LEWIS
27 United States Magistrate Judge
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1
2 UNITED STATES OF AMERICA

3 v.
4 Rita MUNOZ-Pinon

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6 STATEMENT OF FACTS

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8 The complainant states that this complaint is based upon the statements of the
9 apprehending Border Patrol Agent C. Perez, that the Defendant, Rita MUNOZ-Pinon, was found
10 and arrested on May 20, 2008, west of Calexico, California.

11 Agent Perez was performing his assigned Border Patrol duties approximately 8 miles
12 west of Calexico. Agent Perez observed two individuals climb over the United States/Mexico
13 International Border Fence walking northbound. One of the subjects was later identified as Rita
14 MUNOZ-Pinon. Agent Perez questioned MUNOZ-Pinon as to her immigration status to be in
15 the United States and determined MUNOZ-Pinon was a citizen of Mexico illegally in the United
16 States. MUNOZ-Pinon was placed under arrest and transported to the El Centro Border Patrol
17 Station.

18 Record checks revealed an Immigration Judge had ordered MUNOZ-Pinon deported to
19 Mexico from the United States on July 12, 2004. Record checks also revealed MUNOZ-Pinon
20 has an extensive criminal history.

21 Agent A. Ojeda advised MUNOZ-Pinon of her rights as per Miranda. MUNOZ-Pinon
22 stated she understood her rights and was willing to answer questions without an attorney present.
23 MUNOZ-Pinon stated she is a citizen of Mexico born in Juarez, Chihuahua, Mexico. MUNOZ-
24 Pinon also stated she did not have any immigration documents to be in or remain in the United
25 States legally.

26 There is no evidence MUNOZ-Pinon has sought or received permission from the
27 Attorney General or the Secretary of the Department of Homeland Security to re-enter the United
28 States.
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